

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSHUA GUILLERMO,

Plaintiff,

-v-

LUCID USA, INC. et al.,

Defendants.

24 Civ. 5735 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On September 27, 2024, defendant Lucid USA, Inc. filed a motion to dismiss the complaint under Rule 12(b)(6) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

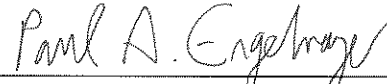
Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by October 18, 2024. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by November 8, 2024, defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by October 18, 2024. Defendant's reply, if any, shall be served by November 1, 2024. At the time any reply is served, the moving party shall supply the

¹ If defendant files a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 14 days thereafter, and defendant's reply, if any, will be due seven days after that.

Court with two (2) courtesy copies of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer", is written over a horizontal line.

PAUL A. ENGELMAYER
United States District Judge

Dated: September 30, 2024
New York, New York